

million, five hundred five thousand, three hundred one dollars and eighty-four cents) during the past 15 years.

**CAMPAIGN FINANCE TASK FORCE
CHIEF PROSECUTOR INVESTIGATES
VICE PRESIDENT GORE
REGARDING CAMPAIGN CONTRIBUTIONS**

Mr. SESSIONS. Mr. President, I want to share some thoughts tonight about a major development concerning the investigation involving the financing of the Vice President's 1996 reelection campaign. First, however, I would like to say that this matter should have been over some time ago, but the Attorney General declined to appoint an Independent Counsel. The Justice Department attorneys who were involved in the investigation of the campaign financing matter have recently testified before the Subcommittee of the Judiciary Committee, which is chaired by Senator SPECTER and of which I am a member. In my opinion, these attorneys have not produced credible and justifiable reasons for the lack of an appointment of an Independent Counsel or for the extraordinary delays that have incurred in the campaign finance investigation.

My 15 years of experience as a prosecutor in the Department of Justice convince me that if the Department of Justice was not going to call for an outside prosecutor—an Independent Counsel—to investigate Vice President GORE, it had an imperative obligation to investigate the matter thoroughly, promptly, and fairly and to bring it to a conclusion. But the attorneys for the Department of Justice who have been involved in this matter for years did not do that.

Late this afternoon, the Associated Press and the New York Times reported that Robert Conrad, the new head of the Justice Department's Campaign Finance Task Force, has requested that Attorney General Reno appoint a "special counsel." After the expiration of the Independent Counsel Statute, Attorney General Reno has the authority to appoint a special counsel to investigate Vice President GORE's involvement in the 1996 campaign fundraising matters.

This is the most recent in a long line of highly respected officials within and without the Department of Justice who have asked for a complete and independent investigation of various aspects of the Vice President's fundraising activities. Unfortunately, each and every previous request for an independent investigation has been denied.

FBI Director Louis Freeh, himself a former Federal judge and a former experienced and skilled Federal prosecutor who personally prosecuted some of this country's most complex cases, recommended the appointment of an Independent Counsel in the fall of 1996.

FBI General Counsel Larry Parkinson also recommended an Independent Counsel.

The former head of the Justice Department's Campaign Finance Task Force, Mr. Charles La Bella, also recommended that an Independent Counsel be appointed. He actually did so several times after he took over as head of the task force in the fall of 1997. He eventually resigned from that position.

Chief FBI Investigator DeSarno joined in La Bella's recommendations.

Ms. Judy Feigin, Mr. La Bella's chief prosecutor in 1998, also recommended that an Independent Counsel be appointed in the campaign finance matter.

Finally, Principal Associate Deputy Attorney General Bob Litt—the associate Attorney General third in line to Janet Reno at the Department of Justice, an individual she picked and was approved by the President—recommended the appointment of an Independent Counsel. He switched his position after opposing such an appointment for some time. Even Mr. Litt recommended an Independent Counsel in 1998. But no independent investigation has been approved to date.

Mr. Conrad testified before our subcommittee a few days ago. He impressed me as a solid prosecutor with over 10 years experience, with a substantial record of trying courtroom cases. He understood his duty. He was soft spoken. He was solid. He would never be led into saying things he did not think were proper. We were very impressed with him. Since his involvement with the case began approximately six months ago, some five people have pleaded guilty or been convicted of criminal offenses arising from the financing of the 1996 Clinton-Gore campaign. So his recommendation for an independent investigation is entitled to substantial weight and is very, very important for America.

I sincerely and earnestly request that the Attorney General not deny this most recent request to investigate the Vice President regarding the receipt of illegal campaign contributions.

Yesterday, at our hearing, chaired by Senator SPECTER, Mr. Conrad testified that he had personally interviewed Vice President GORE in April. Mr. Radek, a top Department of Justice official, has recently confirmed, in an NBC Meet the Press interview, that Vice President GORE's Buddhist temple fundraiser is "still under investigation by the task force. And if any evidence shows up that Vice President GORE knew about the crimes that were involved there, of course, that would, again, cause a triggering of the now independent counsel regulations in the department." I believe Mr. Radek was referring to the new special counsel provisions.

News accounts in the New York Post recently reported that at the inter-

view, the Vice President "blew his top . . . because they asked about his illegal Buddhist temple fundraiser for the first time." Further, the Vice President "seemed stunned" and "fumed" when confronted with these allegations, and the interview "ended in a yelling match between GORE and federal investigators."

These are the investigations of Mr. Conrad. After four years, finally Vice President was asked about this. That is the description of that interview. I would think the Vice President would want to clear up the matter and be candid and forthcoming with the investigator. It would certainly be better for the country. It would certainly allow the matter to have been concluded sooner.

What is this campaign financing matter about? Why is it that this Buddhist temple matter simply will not go away?

On April 29, 1996, in Hacienda Heights, California, Vice President GORE held a fundraiser at a Buddhist temple—a tax-exempt institution where you shouldn't be able to hold a fundraiser. Several questions arose from this fundraiser.

Who were the people surrounding Vice President GORE at this event? Were the people involved in this event involved in illegal foreign-source contributions?

What was the role of the Vice President's staff and DNC staff regarding this event? What was the Vice President's role regarding this fund-raising event?

The poster shows a picture of Vice President GORE at the Buddhist temple fund raiser. To his far right is Maria Hsia, his long-time friend and fundraiser of more than 10 years, who was recently convicted on 5 felony counts. Her convictions stem directly from the Buddhist temple fund-raiser. It is important to note that the investigation by the Senate Governmental Affairs Committee concluded that Maria Hsia is an "agent of the Chinese government, that she acted knowingly in support of it, and that she has attempted to conceal her relationship with the Chinese government."

To Vice President GORE's immediate left is Ted Sieong, who fled the country as soon as he was implicated in the fund-raising scandals and who we believe remains under criminal investigation. Ted Sieong is an overseas businessman who has been tied to hundreds of thousands of dollars in illegal contributions during the 1996 campaign, and the Senate Governmental Affairs Committee concluded that he "worked, and perhaps still works, on behalf of the Chinese government." Behind and to Vice President GORE's right is John Huang, a Vice Chairman of the DNC staff who helped the Vice President plan the Buddhist temple event. Mr. Huang also subsequently pleaded guilty

to a felony count. He raised over a million in illegal foreign-source contributions.

Finally, behind the Vice President and to his far right is Man Ho Shih a Buddhist Nun who admitted to another Committee of the Senate that she and others set about destroying documents relating to the temple fund raiser. According to one of her fellow monastics, those documents were destroyed because they "did not want to embarrass the Vice President." She also fled the country before she was scheduled to testify in a court of law, and is now under indictment, but evading custody.

Moreover, another key piece of evidence which could shed some light on this issue, the videotape of the event, has never been found. This is a serious matter. The rule of law is a serious matter. A legitimate investigation is required.

I make no suggestion that the Vice President is guilty of any crime related to this event and I sincerely hope that he is not.

I am deeply troubled that senior officials in the Justice Department have refused for four years to allow investigators the opportunity to ask the necessary questions of the Vice President and other senior administration officials so that this matter can be resolved one way or the other.

Indeed, we had testimony in our subcommittee, and we went over it two days ago with Mr. Mansfield the former Assistant United States Attorney in Los Angeles who started the initial investigation of the Buddhist temple fundraiser.

When this news broke late in the 1996 Presidential campaign, Mr. Mansfield, who had previously and successfully prosecuted a Republican Congressman for campaign fraud, was preparing his investigative plan for this event. He testified that in these kind of cases you need to move quickly to get records and documents and interview witnesses. But he was stopped by a political appointee, the chief of the Public Integrity Section in the Department of Justice, by written direction. And he was not allowed to proceed to interview witnesses, or to issue subpoenas for documents. And, indeed, the Department of Justice subsequently declared that no Independent Counsel was required, rejecting the suggestion of Senator MCCAIN, who previously talked on this floor and who wrote at that time calling for an Independent Counsel to be appointed. And five other Members joined in that letter.

But the Department of Justice attorneys who stopped Mr. Mansfield's investigation did not interview any witnesses or do any significant investigation.

That is why I believe it is important that Mr. CONRAD's request for the appointment of a special counsel should be granted. The Attorney General has

one more chance to do what I believe is her duty.

Mr. Conrad has a reputation as a man of integrity and a solid prosecutor who gets results. As the current chief prosecutor who has been in place for only a few months, has done a fine job in securing 5 convictions and guilty plea agreements in several key cases. One of these involved Pauline Kanchanalak, who was responsible for funneling approximately \$690,000 of illegal foreign money to the Democratic National Committee and 5 state Democratic parties. More than \$457,000 of this amount was related to one White House coffee on June 18, 1996, organized by John Huang and attended by President Clinton. Another case involved the conviction of Maria Hsia on March 2, 2000, which resulted, in part, from her involvement in the California Buddhist Temple fundraiser to funnel more than \$100,000 of illegal foreign money into the Clinton-Gore 1996 reelection campaign. Even after her conviction on five felony counts, Maria Hsia is still not in jail. In fact, Judge Friedman granted her request to have her passport returned so she can travel freely between China and the United States.

At any rate, some progress apparently is being made. And I commend the efforts of Mr. Conrad. I believe that his work has the potential to restore the integrity of the Department of Justice, and I believe Attorney General Reno should follow his advice and appoint a special counsel to conclude this matter.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

THE EXECUTION OF GARY GRAHAM

Mr. FEINGOLD. Mr. President, the Nation has been engaged in a raging debate in recent days on whether Gary Graham should be executed in Texas.

Supporters of the death penalty, including Governor Bush, have said there is no conclusive proof that Texas or any State has killed an innocent person. But apparently Gary Graham, who had the courthouse doors slammed shut on his claim of innocence, won't have a chance to prove that he is innocent.

I understand, at this moment, that all appeals have now been denied. Mr. Graham is scheduled to be executed before midnight tonight.

Mr. President, Mr. Graham's plight symbolizes some of the most serious concerns with the fairness and accuracy in the administration of the death penalty. Don't get me wrong, Mr. Graham is not a good guy. He is a criminal, and, in fact, a very serious offender who deserves very serious punishment.

But we need to realize what is about to happen. He is still a human being

who is about to be executed at the hands of the State of Texas. This is a capital matter.

Mr. Graham may not have committed a murder for which he is about to be executed. This case raised very serious issues of woefully incompetent trial counsel, eyewitness testimony that has never been heard by a jury, a conviction based on the sole testimony of just one eyewitness, and exculpatory ballistic testing data that was not shown to the jury.

Despite the claims of those who would support the death penalty, Gary Graham is not alone. There are other examples of people—in places like Virginia, Florida and even Texas—who have been put to death in the face of grave doubt about their guilt. We don't have absolute proof of their innocence. But some day soon, if we continue to let this system run amok, there will be a case where an irrefutably innocent person is executed.

One Governor got it right. Governor Ryan of Illinois called a halt to executions in his State and appointed a blue ribbon commission to study whether the system could be fixed. Some say, I think essentially with no basis, that, yes, that was the right thing to do in Illinois but that Illinois is an aberration. Mr. President, I don't believe for a minute that Illinois is an aberration when it comes to the problems with the administration of the death penalty in this country. Governor Ryan was right when he said that he wanted absolute certainty that the person scheduled to die is guilty. The same certainty should apply to the State of Texas this very evening.

A recent study by Columbia University documented that 52 percent of death penalty cases in Texas were overturned on appeal during the time period for which the study was done. Nationwide, the Columbia study found an average reversal rate of nearly 7 out of 10 capital cases.

What does the Governor of Texas say? He says he is certain that every single one of the over 100 people executed under his watch as Governor was guilty. I have heard him say this many times. He only considers two factors: Whether the person is guilty, and whether he or she had full access to the courts.

This is a matter of life and death. They found out in Illinois that it is not that simple. It is not just whether the person is guilty and whether they had full access to the courts. I have no doubt that the intense media and public scrutiny of Texas and Governor Bush's leadership is warranted in this case. The same kind of problems are arising in Texas that were discovered in Illinois and that forced Governor Ryan to take the action he did. In Illinois, it was not the criminal justice system that discovered its defects, it was undergraduate journalism students